

Stephen L. Beshear
Governor

Leonard K. Peters
Secretary



Environmental Quality Commission

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MEMORANDUM

TO: Governor Steven Beshear

Dr. Leonard Peters, Secretary
Energy and Environment Cabinet

FROM: Arnita Gadson, Executive Director
Environmental Quality Commission

DATE: October 2, 2008

RE: Emergency Action Plans

The Environmental Quality Commission (EQC), a seven-member board that advises state officials on environmental matters, discussed Emergency Action Plans (EAPs) at its recent Sept. 25, 2008, quarterly meeting.

Both the Federal Emergency Management Agency and the Mine Safety and Health Administration have recommended the formulation of EAPs for high hazard dams and impoundments. There are numerous impoundments within Kentucky that can be classified as high hazard insofar as there are human populations downstream. The EQC strongly urges that the highest possible priority be given to the formulation of legislation giving the Division of Water and the Division of Mine Reclamation and Enforcement authority to promulgate regulations requiring EAPs. These regulations should be based upon the guidance published by FEMA and should include the necessary financial resources needed by the Divisions to implement and enforce the regulations.

Please feel free to contact the commission if you have any questions concerning this recommendation.

Cc: R. Bruce Scott, Department for Environmental Protection
Carl Campbell, Department for Natural Protection
Sandy Gruzesky, Division of Water
Paul Rothman, Division of Mine Reclamation and Enforcement